

AUSA: April Russo

Telephone: (313) 226-9129

Agent:

David Alley

Telephone: (313) 226-5310

1 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Michael Justin Hall

Case:2:20-mj-30021

Judge: Unassigned,

Filed: 01-16-2020 At 12:11 PM

USA V HALL (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 8 - January 16, 2020 in the county of Oakland in the

Eastern District of Michigan, the defendant(s) violated:

Code Section

18 U.S.C. Section 2252A(a)(5)(b)
18 U.S.C. Section 2252A(a)(2)

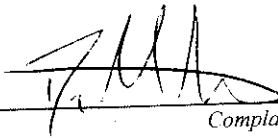
Offense Description

Possession of child pornography
Distribution and receipt of child pornography

This criminal complaint is based on these facts:

see attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

David Alley, Special Agent (HSI)
Printed name and title

Sworn to before me and signed in my presence.

JAN 16 2020

Date: _____

City and state: Detroit, MI


Judge's signature

Hon. R. Stephen Whalen, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
AN ARREST WARRANT

I, Dave Alley, being first duly sworn, state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with Homeland Security Investigations (HSI), of the United States Department of Homeland Security (DHS). I am assigned to the Special Agent in Charge (SAC), Office of Investigations (OI) in Detroit, Michigan with offices located at 477 Michigan Ave, Suite 1850, Detroit, Michigan. I have been employed with HSI since March, 2007. I have successfully completed the Criminal Investigator Training Program and the Immigration and Customs Enforcement Special Agent Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. I have received a Bachelor's Degree in Criminal Justice from Michigan State University, as well as a Master's Degree in Criminal Justice from Michigan State University. I have successfully completed the Basic Computer Evidence Recovery Training (BCERT) at FLETC, Advanced Computer Evidence Recovery Training (ACERT) at the HSI Cyber Crimes Center and the Cyber Crime Center Mobile and Cellular Device Data Extraction course and possess an A+ certification. I am currently the Senior Defensive Tactics Instructor for HSI Detroit.

2. This affidavit is made in support of an application for a criminal complaint and arrest warrant for **Michael Justin Hall** (DOB 06/XX/1981) for the receipt, possession, and distribution of child pornography in violation of Title 18, United States Code, Sections 2252A(a)(5)(b) and 2252A(a)(2).
3. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information made available to me by other law enforcement professionals. These facts are provided for the sole purpose of establishing probable cause for the issuance of a criminal complaint and arrest warrant; therefore, this affidavit does not necessarily contain all information uncovered during this investigation. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for an arrest warrant for **Michael Justin Hall**.

Mobile Application A

MOBILE APPLICATION A advertises itself as “the first smartphone messenger with a built-in browser.” MOBILE APPLICATION A Messenger allows its users to “talk to your friends and browse and share any web site with your friends on MOBILE APPLICATION A.” According to the website, MOBILE APPLICATION A Messenger, a free service easily downloaded from the Internet, has become the simplest, fastest, most life-like chat experience you can get on a smartphone. Unlike other messengers, MOBILE APPLICATION A usernames - not phone numbers - are the basis for MOBILE APPLICATION A user accounts, so MOBILE APPLICATION A users are in complete control with whom they communicate.

PROBABLE CAUSE

4. On or about January 12, 2020, an HSI Chattanooga Agent, operating in an undercover capacity, was conducting undercover chats on Mobile Application A, described above. The UCA had created a group on Mobile application A with a group name that was indicative of child sexual abuse. On this date, at approximately 1:11 p.m., a user with username **oldman1981**, vanity handle “Spar tan” entered the group. This user posted,

“Active,” and “Good vides to post anyone?” The user later asked “Wheres the good vids?” This user then shared a video.

5. Your affiant has reviewed this video and it meets the federal definition of child pornography. The video depicts an adult male trying to insert his penis into the buttocks of a small child. The adult male penetrates the child and has a few seconds of intercourse before removing his penis and ejaculating onto what appears to be a grey carpet. The child appears to be between six months to a year and a half old.
6. Following the posting of this video, user **oldman1981** initially stated that he was the adult male in the video. User **oldman1981** stated that he had access to two children, one six years old and one three years old. User **oldman1981** stated that they were not his children but were children of a friend of his. On the morning of January 16, 2020, the UCA again reached out to **oldman1981**. At that time, **oldman1981** denied that he was depicted in the video, saying, he wished it was him.
7. Mobile Application A provided HSI with the IP addresses that were used to login to **oldman1981** on January 12, 2020. This user logged into Mobile Application A approximately 49 times that day, each time utilizing

IP address 108.75.39.62. The subscriber address for this IP address was 100XX Hutchinson Drive, Davisburg, Michigan.

8. On January 16, 2020, HSI executed a federal search warrant at this residence. **Michael Justin Hall** (DOB 06/XX/1981) was present during the execution of the search warrant. A cellular phone was recovered from the pocket of his pants. He provided the password to the phone. HSI conducted a preliminary review of the cellular phone, discovering that it contained the conversations between the UCA and user **oldman1981**. **Oldman1981** had shared the above-described video multiple times to other Mobile Application A users, including as recently as January 16, 2020 a little after 1:00 a.m. He had also communicated with other Mobile Application A users and had received videos and images that meet the federal definition of child pornography from them. For example, on January 8, 2020, he received two images from another Mobile Application A user that depict a prepubescent boy being raped. And, on January 12, 2020, he received a video from another Mobile Application A user that depicts three naked minor children. In the video, a little girl performs oral sex on a young boy. On this same date, he also received a video from a different user that depicts

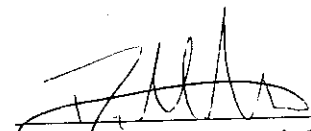
a prepubescent girl being raped by an adult male. The forensic review is ongoing.

9. A search of the Michigan Sex Offenders Registry was conducted. This search revealed that **Michael Justin HALL** (DOB 6/XX/1981) was convicted in September, 1997 of Criminal Sexual Conduct in the 1st Degree. Due to his status as a juvenile at the time of conviction, this was catalogued as a juvenile adjudication. **HALL** also has prior convictions from 2006 for Criminal Sexual Conduct in the 1st degree, three counts of Criminal Sexual Conduct in the 3rd degree, and possession of child sexually abusive material. **HALL** was also convicted of two counts of possession of Child Sexually Abusive Material.

CONCLUSION

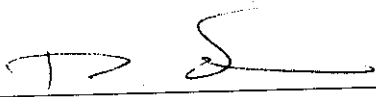
10. Your Affiant respectfully submits that there is probable cause to believe that **Michael Justin Hall** (DOB 06/XX/1981) violated Title 18, United States Code, Sections 2252A(a)(5)(b) and 2252A(a)(2), which criminalizes, among other things, the receipt, possession and distribution of child pornography.
11. Wherefore by this affidavit and application, Affiant requests that the Court authorize the issuance of a criminal complaint and arrest warrant for **Michael Justin Hall** (DOB 06/XX/1981).

Respectfully submitted,



Dave Alley, Special Agent
Department of Homeland Security
Homeland Security Investigations

Subscribed and sworn to before me
on the 16th day of January, 2020



Honorable R. Stephen Whalen
UNITED STATES MAGISTRATE JUDGE